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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/638,980 | 08/12/2003 | Yuri Goldstein | PCTEL-021 | 7133 |
| 36822 | 7590 | 10/06/2006 | EXAMINER | |
| GORDON & JACOBSON, P.C. 60 LONG RIDGE ROAD SUITE 407 STAMFORD, CT 06902 | | | | FILE, ERIN M |
| | | ART UNIT | | PAPER NUMBER |
| | | 2611 | | |

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/638,980 | GOLDSTEIN ET AL. |
| | Examiner | Art Unit |
| | Erin M. File | 2611 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 August 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,12,13 and 15 is/are rejected.
- 7) Claim(s) 3-11 and 14 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 August 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>12/8/2003</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 12, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Djokovich et al. (U.S. Patent No. 6,952,458).

Claims 1, 12, Djokovich discloses:

- receiving the multicarrier wireless telecommunications data signal without accompanying pilot signals (fig. 2B, 251, 210, Djokovich does not use of pilot signals in the transmission or reception of data);
- extracting information from the multicarrier wireless telecommunications data signal (col. 4, lines 25-27);
- processing said information in order to obtain equalization indications (col. 4, lines 27-29);
- equalizing said multicarrier wireless telecommunications data signal by modifying indications of said wireless telecommunications data signal using said equalization indications (col. 4, lines 29-36).

Claim 15, Djokovich discloses:

- a first telecommunications apparatus including a transmitter which transmits a wireless telecommunications data signal without accompanying pilot signals (fig. 2A, col. 4, lines 34-36)
- receiving the multicarrier wireless telecommunications data signal without accompanying pilot signals (fig. 2B, 251, 210, Djokovich does not use of pilot signals in the transmission or reception of data);
- extracting information from the multicarrier wireless telecommunications data signal (col. 4, lines 25-27);
- processing said information in order to obtain equalization indications (col. 4, lines 27-29);
- equalizing said multicarrier wireless telecommunications data signal by modifying indications of said wireless telecommunications data signal using said equalization indications (col. 4, lines 29-36).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Djokovich et al. (U.S. Patent No. 6,952,458) as applied to claims 1 and 12 above, and further in view of Antoine et al. (U.S. Pub. No. 2003/0152157).

Claims 2, 13, although Djokovich fails to disclose that the information extracted from the wireless telecommunications data signal is per-carrier phase and amplitude adjustment information, Antoine discloses information extracted from the wireless telecommunications data signal is per-carrier phase and amplitude adjustment information ([0052], lines 8-14). Because Antoine discloses this method allows for the synchronization of the receiver, necessary for the correct decoding of information ([0005]), it would have been obvious to one skilled in the art at the time of invention to incorporate the extraction as disclosed by Antoine into the invention of Djokovich.

Allowable Subject Matter

5. Claims 3-11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin M. File whose telephone number is (571)272-6040. The examiner can normally be reached on M-F 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Erin M. File

EMF

9/27 /2006

M. G.
MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER